

Appl. No. 10/650,301
Amdt. dated November 16, 2005
Reply to Office Action of October 7, 2005

Remarks

The present amendment responds to the Official Action mailed October 7, 2005. At page 3, that action repeated a rejection of claims 1 and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 22 of Adamec et al. U.S. Patent No. 6,243,690 (Adamec). It is believed that this rejection resulted from a word processing error as a terminal disclaimer was previously submitted. Claims 1, 3-5, 8-15 and 21 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. On page 4, the action indicates claims 1, 3-5, 8-15 and 21 would be allowable if amended to overcome the Section 112 rejection and claims 16-20 were allowed.

Obviousness Double Patenting

A check of the PAIR system confirms that the terminal disclaimer was filed July 14, 2005 and was accepted November 10, 2005. A printout is attached as Exhibit A hereto. Please call the undersigned if this issue is not resolved by this filing.

Section 112

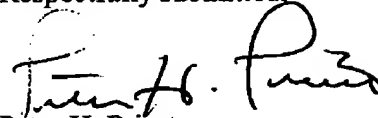
Consistently with the usage of claim 16 which stands allowed, claim 1 has hereby been amended to read "a promotional display message" rather than "a message" in the second to last line. As described at page 8, lines 10-12, an exemplary "promotional display message" includes a promotional message to be displayed and a time period for which the message is to be displayed. See also, page 5, lines 18-20.

Appl. No. 10/650,301
Amdt. dated November 16, 2005
Reply to Office Action of October 7, 2005

Conclusion

It is respectfully requested that this case now be promptly allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter H. Priest". The signature is fluid and cursive, with the first name "Peter" and last name "Priest" clearly distinguishable.

Peter H. Priest
Reg. No. 30,210
Priest & Goldstein, PLLC
5015 Southpark Drive, Suite 230
Durham, NC 27713-7736
(919) 806-1600

PAIR Page

: 1 of 2

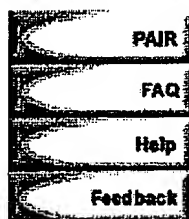
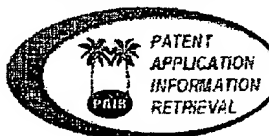
EXHIBIT A



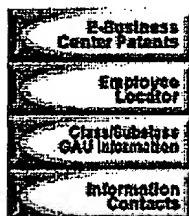
United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Printer Friendly Version

Search results as of: 11-15-2005::17:54

Search results for application number:09/847,795			
Application Number:	09/847,795	Customer Number:	-
Filing or 371(c) Date:	05-02-2001	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	10-07-2005
Examiner Name:	FISCHER, ANDREW J	Location:	ELECTRONIC
Group Art Unit:	3627	Location Date:	-
Confirmation Number:	4913	Earliest Publication No:	US 2002-0161
Attorney Docket Number:	9371	Earliest Publication Date:	11-07-2002
Class/ Sub-Class:	705/020	Patent Number:	-
First Named Inventor:	John Goodwin, Suwanee, GA	Issue Date of Patent:	-
Title Of Invention: Methods and apparatus for promotional electronic signs			

Select Search Option

☒ Image File Wrapper
☐ Published Documents

File History	
Date	Contents Description
11-10-2005	Paralegal TD Accepted
07-14-2005	Terminal Disclaimer Filed
10-07-2005	Mail Non-Final Rejection
10-03-2005	Non-Final Rejection
07-19-2005	Date Forwarded to Examiner
07-14-2005	Response after Non-Final Action
05-05-2005	Mail Non-Final Rejection
05-03-2005	Non-Final Rejection
03-20-2005	Date Forwarded to Examiner
02-08-2005	Request for Continued Examination (RCE)
03-20-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
02-08-2005	Request for Extension of Time - Granted
02-08-2005	Workflow - Request for RCE - Begin
03-03-2005	Date Forwarded to Examiner
02-02-2005	Mail Advisory Action (PTOL - 303)
01-31-2005	Advisory Action (PTOL-303)
01-27-2005	Date Forwarded to Examiner
01-19-2005	Amendment after Final Rejection
11-04-2004	Mail Final Rejection (PTOL - 326)

PAIR Page

Page 2 of 2

11-01-2004	Final Rejection
08-18-2004	IFW TSS Processing by Tech Center Complete
08-18-2004	Date Forwarded to Examiner
07-19-2004	Response after Non-Final Action
07-19-2004	Request for Extension of Time - Granted
07-19-2004	Workflow incoming amendment IFW
03-18-2004	Mail Non-Final Rejection
03-17-2004	Non-Final Rejection
02-18-2004	Case Docketed to Examiner in GAU
01-14-2004	Information Disclosure Statement (IDS) Filed
09-25-2003	Correspondence Address Change
01-29-2003	Case Docketed to Examiner in GAU
04-23-2002	Case Docketed to Examiner in GAU
04-23-2002	Case Docketed to Examiner in GAU
10-09-2001	New or Additional Drawing Filed
05-02-2001	Information Disclosure Statement (IDS) Filed
09-14-2001	Case Docketed to Examiner in GAU
06-27-2001	Application Dispatched from OIPE
06-27-2001	Correspondence Address Change
05-10-2001	IFW Scan & PACR Auto Security Review
05-02-2001	Initial Exam Team nn

[|.HOME|INDEX|SEARCH|eBUSINESS|CONTACT US|PRIVACY STATEMENT](#)